

21 October 2011

Original: English

Sixth Committee

**Working Group on the scope and application of the principle
of universal jurisdiction**

Informal paper of the Working Group*

I. Agreements on methodology

1. Discussions will be conducted in the Sixth Committee, focusing on a set of specific issues, in line with the content and mandate of resolution 65/33. The potential role of the International Law Commission will be considered when appropriate.
2. The Working Group will follow a step-by-step methodological approach.
3. Discussions will be framed within reasonable limits.
4. Matters of context, overlapping and/or interaction among different issues will be taken into account when appropriate.
5. Discussions will concentrate on legal matters.
6. When commenting on topics, delegations will consider:
 - (a) International conventional law;
 - (b) Customary international law;
 - (c) National legislation;
 - (d) National, regional and international court decisions;
 - (e) Other frameworks and/or sources.

II. Issues for discussion

1. Definition of the concept of universal jurisdiction:
 - (a) The role and purpose of universal jurisdiction;

* The sources that may be taken into account and the issues for discussion constitute descriptive and open lists, not prescriptive or closed ones. Delegations may add and build upon them.



- (b) Relevant components;
- (c) Distinction from other related concepts.
- 2. Scope of universal jurisdiction:
 - (a) Crimes under universal jurisdiction.
- 3. Application:
 - (a) Conditions for application;
 - (b) Criteria for exercising jurisdiction;
 - (c) Procedural aspects;
 - (d) Role of national judicial systems;
 - (e) Interaction with other concepts of international law;
 - (f) International assistance and cooperation.